

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Godoy et. al.	Conf. No.:	9088
Serial No.:	10/688,097	Art Unit:	2165
Filing Date:	10/17/2003	Examiner:	Ponikiewski, Tomasz
Title:	METHOD, SYSTEM AND PROGRAM PRODUCT FOR MANAGING CUSTOM DATA DURING AN ELECTRONIC PURCHASE	Docket No.:	END920030047US1 (IBME-0088)

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BRIEF OF APPELLANTS

This is an appeal from the Final Rejection dated 21 July 2008 rejecting claims 1-20. This Brief is accompanied by the requisite fee set forth in 37 C.F.R. 1.17(c).

REAL PARTY IN INTEREST

International Business Machines Corporation is the real party in interest.

RELATED APPEALS AND INTERFERENCES

Appellants are not currently aware of any prior or pending appeals, interferences or judicial proceedings which may directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

STATUS OF CLAIMS

As filed, this case included claims 1-20. Claims 1-20 remain pending. Claims 1-20 stand rejected and form the basis of this appeal.

STATUS OF AMENDMENTS

No amendment to the claims has been submitted subsequent to the Final Office Action dated 21 July 2008.

SUMMARY OF CLAIMED SUBJECT MATTER

The present invention provides a solution for managing custom data during an electronic purchase. Below is a concise explanation of the subjected matter defined in independent claims 1, 10, 14 and 18 which are each involved in this appeal. In addition, the summary points out elements in the figures that correspond to claim features as well as sections in the specification that discuss the features.

Claim 1 claims a method of managing custom data by a computer during an electronic purchase, the method comprising: selecting an item for purchase (see e.g., para. [0024], [0030], FIG. 1, elements 26, 32, FIG. 3, element S11); determining a set of attributes for the item, (see e.g., para. [0023], [0024], FIG. 1, element 34, FIG. 3, element S16) wherein the attributes include item-based attributes and purchase-based attributes (see e.g., para. [0024]), wherein each item-based attribute relates to information about the item and each purchase-based attribute relates to information about the electronic purchase (see e.g., para. [0031]) and wherein each attribute is associated with at least one value; (see e.g., para. [0031]) comparing the set of attributes to a set of keys, (see e.g., para. [0032], FIG. 3, element S17) wherein each key is generated based on data

collected on a custom data form (see e.g., para. [0026], FIG. 1, element 36, FIG. 2, element S2) and wherein each key includes an attribute with a corresponding matching value; (see e.g., para. [0026], [0031], [0032]) displaying the custom data form using the computer in the case where the corresponding matching value of an attribute in the set of keys matches the at least one value of each attribute for the item; (see e.g., para. [0032], [0033], [0034], FIG. 1, element 38, FIG. 3, elements S18, S19) and obtaining government regulatory information from a customer that is required to comply with disclosure and reporting requirements for a purchase of chemicals via the custom data form (see e.g., para. [0034]).

Claim 10 claims a method of managing custom data by a computer during an electronic purchase, the method comprising: selecting an item for purchase (see e.g., para. [0024], [0030], FIG. 1, elements 26, 32, FIG. 3, element S11); obtaining purchase information for the item (see e.g., para. [0030], FIG. 1, element 40, FIG. 3, element S13); determining a set of attributes for the item, (see e.g., para. [0023], [0024], FIG. 1, element 34, FIG. 3, element S16) wherein the attributes include item-based attributes and purchase-based attributes, wherein each item-based attribute relates to information about the item and each purchase-based attribute relates to information about the electronic purchase (see e.g., para. [0031]) and wherein each attribute is associated with at least one value; (see e.g., para. [0031]) comparing the set of attributes to a set of keys, (see e.g., para. [0032], FIG. 3, element S17) wherein each key is generated based on data collected on a custom data form (see e.g., para. [0026], FIG. 1, element 36, FIG. 2, element S2) and wherein each key includes an attribute with a corresponding matching value; (see e.g., para. [0026], [0031], [0032]) displaying the custom data form using the computer in the case where the corresponding matching value of an attribute in the set of keys matches the at least one value of each attribute for the item (see e.g., para. [0032], [0033], [0034], FIG. 1, element 38,

FIG. 3, elements S18, S19); obtaining government regulatory information from a customer that is required to comply with disclosure and reporting requirements for a purchase of chemicals using at least one input field in the custom data form (see e.g., para. [0034]); and storing the obtained custom data and purchase information in a database (see e.g., para. [0035], FIG. 4, element 50).

Claim 14 claims a system of managing custom data by a computer during an electronic purchase, the system comprising: at least one computer including: a selection system to allow a user to select an item for purchase (see e.g., para. [0024], [0030], FIG. 1, elements 26, 32, FIG. 3, element S11); an attribute system to determine a set of attributes for the item (see e.g., para. [0023], [0024], FIG. 1, element 34, FIG. 3, element S16), wherein the attributes include item-based attributes and purchase-based attributes, wherein each item-based attribute relates to information about the item and each purchase-based attribute relates to information about the electronic purchase (see e.g., para. [0031]) and wherein each attribute is associated with at least one value (see e.g., para. [0031]); a key system to compare the set of attributes to a set of keys (see e.g., para. [0032], FIG. 1, element 36, FIG. 3, element S17), wherein each key is generated based on data collected on a custom data form (see e.g., para. [0026], FIG. 1, element 36, FIG. 2, element S2) and wherein each key includes an attribute with a corresponding matching value (see e.g., para. [0026], [0031], [0032]); a form system to display the custom data form using the computer in the case where the corresponding matching value of an attribute in the set of keys matches the at least one value of each attribute for the item; (see e.g., para. [0032], [0033], [0034], FIG. 1, element 38, FIG. 3, elements S18, S19) and an obtaining system to obtain government regulatory information from a customer that is required to comply with disclosure and reporting requirements for a purchase of chemicals via the custom data form (see e.g., para. [0034]).

Claim 18 claims a computer program product, stored on a computer readable medium and implemented through a computer, for managing custom data during an electronic purchase, the computer program product comprises: program code to allow a user to select an item for purchase (see e.g., para. [0024], [0030], FIG. 1, elements 26, 32, FIG. 3, element S11); program code to determine a set of attributes for the items (see e.g., para. [0023], [0024], FIG. 1, element 34, FIG. 3, element S16), wherein the attributes include item-based attributes and purchase-based attributes, wherein each item-based attribute relates to information about the item and each purchase-based attribute relates to information about the electronic purchase (see e.g., para. [0031]) and wherein each attribute is associated with at least one value (see e.g., para. [0031]); program code to compare the set of attributes to a set of keys (see e.g., para. [0032], FIG. 1, element 36, FIG. 3, element S17), wherein each key is generated based on data collected on a custom data form (see e.g., para. [0026], FIG. 1, element 36, FIG. 2, element S2) and wherein each key includes an attribute with a corresponding matching value (see e.g., para. [0026], [0031], [0032]); program code to display the custom data form using the computer in the case where the corresponding matching value of an attribute in the set of keys matches the at least one value of each attribute for the item (see e.g., para. [0032], [0033], [0034], FIG. 1, element 38, FIG. 3, elements S18, S19); and program code to obtain government regulatory information from a customer that is required to comply with disclosure and reporting requirements for a purchase of chemicals via the custom data form (see e.g., para. [0034]).

GROUND OF REJECTION TO BE REVIEWED ON APPEAL

- I. Whether claims 1 – 6 and 9-20 are unpatentable under 35 U.S.C. 103(a) over Nishimura (U.S. Pub. No. 2001/0051904A1), in view of Christensen et. al. (U.S. Pub. No. 2002/0154114A1), and further in view of Breen Jr., et al. (U.S. Pat. No. 6,598,027).

- II. Whether claims 7-8 and 11-13 are unpatentable under 35 U.S.C. 103(a) over Nishimura (U.S. Pub. No. 2001/0051904A1), in view of Christensen et. al. (U.S. Pub. No. 2002/0154114A1), and further in view of Breen Jr., et al. (U.S. Pat. No. 6,598,027), and further in view of Leber et. al. (U.S. Pub. No. 2003/0182391 A1).

ARGUMENT

In the Office Action, claims 1 – 6 and 9-20 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Nishimura (U.S. Pub. No. 2001/0051904A1), hereafter “Nishimura,” in view of Christensen et. al. (U.S. Pub. No. 2002/0154114A1), hereinafter “Christensen” and further in view of Breen Jr., et al. (U.S. Pat. No. 6,598,027), hereinafter “Breen.” Claims 7-8 and 11-13 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Nishimura and Christensen, and further in view of Breen and further in view of Leber et. al. (U.S. Pub. No. 2003/0182391 A1), hereafter “Leber.”

With regard to the 35 U.S.C. 103(a) rejections of independent claims 1, 10, 14 and 18, over Nishimura, Christensen and Breen, Appellants assert that the combination of these references does not teach each and every feature of the claimed invention.

For example, the cited references do not teach that a custom form is displayed only when a corresponding matching value of an attribute in the set of keys matches a value of an attribute for the item. The Office cites to Nishimura for disclosure of this element, specifically paragraph [0102], lns. 1-7 and paragraph [0103], lns. 7-9. However, Appellants submit that the cited portions of Nishimura do not teach the claimed elements. Interpreting Nishimura for purposes of this Appeal only, Appellants submit that Nishimura discloses a method for a user to customize a product for purchase. It allows a customer to choose the specifications of a product, such as a computer, and then the custom-made product is displayed so the customer can confirm the product has been customized as desired. Nishimura does not display a custom form only when a match has been made of attribute values. In other words, Nishimura does not determine whether a value of an attribute in a set of keys matches a value of an attribute for the item. In contrast, in Nishimura, when a user chooses a product that can be customized, a user is presented with

options for choosing specifications to customize. This is not equivalent to the claimed system which determines whether a user must provide required information as part of the purchase, and provides a form to the user for the user to input that information.

In addition to the fact that the cited references do not teach the same method for determining whether a custom form as discussed above is required and then providing that form to a customer, the cited references further do not disclose that this custom form obtains government regulatory information from the customer that is required to comply with disclosure and reporting requirements for a purchase of chemicals. The Office cites to Breen for disclosure of this element. However, interpreting Breen for purposes of this Appeal only, Breen discloses that a user provides information confirming that they have the necessary licenses in connection with a purchase. (*See e.g.*, cited portion of Breen col. 14, lns. 30-40). Breen does not disclose obtaining disclosure and reporting requirements for a purchase of chemicals as required by the claimed invention.

With respect to dependent claims, Appellants herein incorporate the arguments presented above with respect to the corresponding independent claims from which the claims depend. Furthermore, Appellants submit that all dependant claims are allowable based on their own distinct features.

In summary, Appellants submit that claims 1-20 are allowable because the cited references fail to disclose each and every feature of the claimed inventions.

Respectfully submitted,

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Dated: November 19, 2008

CLAIMS APPENDIX

Claim Listing:

1. A method of managing custom data by a computer during an electronic purchase, the method comprising:

selecting an item for purchase;

determining a set of attributes for the item, wherein the attributes include item-based attributes and purchase-based attributes, wherein each item-based attribute relates to information about the item and each purchase-based attribute relates to information about the electronic purchase and wherein each attribute is associated with at least one value;

comparing the set of attributes to a set of keys, wherein each key is generated based on data collected on a custom data form and wherein each key includes an attribute with a corresponding matching value;

displaying the custom data form using the computer in the case where the corresponding matching value of an attribute in the set of keys matches the at least one value of each attribute for the item; and

obtaining government regulatory information from a customer that is required to comply with disclosure and reporting requirements for a purchase of chemicals via the custom data form.

2. The method of claim 1, wherein the selecting step comprises:

adding the item to an electronic shopping cart;

selecting to checkout the electronic shopping cart; and

obtaining purchase information for the electronic purchase.

3. The method of claim 2, wherein the custom data form is displayed after the obtaining step.
4. The method of claim 1, further comprising generating the custom data form for the item.
5. The method of claim 1, further comprising obtaining custom data using the custom data form.
6. The method of claim 5, further comprising storing the obtained custom data in a database.
7. The method of claim 6, wherein the storing step comprises:
 - concatenating custom data obtained using at least two input fields in the custom data form;
 - storing the concatenated custom data as a large object in the database.
8. The method of claim 7, further comprising parsing the concatenated custom data to determine the custom data obtained for one of the at least two fields.
9. The method of claim 1, wherein the custom data form is displayed once for a plurality of items that match the set of keys.
10. A method of managing custom data by a computer during an electronic purchase, the method comprising:
 - selecting an item for purchase;
 - obtaining purchase information for the item;

determining a set of attributes for the item, wherein the attributes include item-based attributes and purchase-based attributes, wherein each item-based attribute relates to information about the item and each purchase-based attribute relates to information about the electronic purchase and wherein each attribute is associated with at least one value;

comparing the set of attributes to a set of keys, wherein each key is generated based on data collected on a custom data form and wherein each key includes an attribute with a corresponding matching value;

displaying the custom data form using the computer in the case where the corresponding matching value of an attribute in the set of keys matches the at least one value of each attribute for the item;

obtaining government regulatory information from a customer that is required to comply with disclosure and reporting requirements for a purchase of chemicals using at least one input field in the custom data form; and

storing the obtained custom data and purchase information in a database.

11. The method of claim 10, wherein the storing step comprises:

concatenating custom data obtained for a plurality of input fields;

storing the concatenated custom data as a large object in the database.

12. The method of claim 11, wherein the storing step further comprises storing an entry in a custom data group table for a custom data group, wherein the custom data group includes each item in the electronic purchase that matches the set of keys.

13. The method of claim 12, wherein the storing step further comprises:

storing the large object in an entry in a group custom data table in the case that the custom data form is displayed once for the custom data group; and

storing the large object in an entry in an item custom data table in the case that the custom data form is displayed for each item in the custom data group.

14. A system of managing custom data by a computer during an electronic purchase, the system comprising:

at least one computer including:

a selection system to allow a user to select an item for purchase;

an attribute system to determine a set of attributes for the item, wherein the attributes include item-based attributes and purchase-based attributes, wherein each item-based attribute relates to information about the item and each purchase-based attribute relates to information about the electronic purchase and wherein each attribute is associated with at least one value;

a key system to compare the set of attributes to a set of keys, wherein each key is generated based on data collected on a custom data form and wherein each key includes an attribute with a corresponding matching value;

a form system to display the custom data form using the computer in the case where the corresponding matching value of an attribute in the set of keys matches the at least one value of each attribute for the item; and

an obtaining system to obtain government regulatory information from a customer that is required to comply with disclosure and reporting requirements for a purchase of chemicals via the custom data form.

15. The system of claim 14, further comprising a checkout system to obtain purchase information for the item.

16. The system of claim 14, further comprising a storage system to store custom data, wherein the form system further obtains the custom data using the custom data form.

17. The system of claim 16, wherein the storage system includes:

- a custom data group table to store an entry for a custom data group, wherein the custom data group includes each item in the electronic purchase that matches the set of keys;

- a group custom data table to store an entry for the custom data for the custom data group in the case that the custom data form is displayed once for the custom data group; and

- an item custom data table to store an entry for the custom data for each item in the custom data group in the case that the custom data form is displayed once for each item in the custom data group.

18. A computer program product, stored on a computer readable medium and implemented through a computer, for managing custom data during an electronic purchase, the computer program product comprises:

- program code to allow a user to select an item for purchase;

- program code to determine a set of attributes for the items, wherein the attributes include item-based attributes and purchase-based attributes, wherein each item-based attribute relates to

information about the item and each purchase-based attribute relates to information about the electronic purchase and wherein each attribute is associated with at least one value;

program code to compare the set of attributes to a set of keys, wherein each key is generated based on data collected on a custom data form and wherein each key includes an attribute with a corresponding matching value;

program code to display the custom data form using the computer in the case where the corresponding matching value of an attribute in the set of keys matches the at least one value of each attribute for the item; and

program code to obtain government regulatory information from a customer that is required to comply with disclosure and reporting requirements for a purchase of chemicals via the custom data form.

19. The computer program product of claim 18, further comprising:

program code to obtain purchase information for the item;

program code to obtain custom data using the custom data form; and

program code to store the custom data and the purchase information.

20. The computer program product of claim 19, further comprising program code to process the custom data.

EVIDENCE APPENDIX

No evidence has been entered and relied upon in the appeal.

RELATED PROCEEDINGS APPENDIX

No decisions rendered by a court or the Board in any proceeding are identified in the related appeals and interferences section.